

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RICHARD H. NAGY,

Plaintiff,

v.

Case No. 12-14149

Hon. Gerald E. Rosen

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION,

Defendant.

\_\_\_\_\_ /

**ORDER OF DISMISSAL**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on \_\_\_\_\_

PRESENT: Honorable Gerald E. Rosen  
Chief Judge, United States District Court

By motion filed on September 26, 2012, Defendant seeks the dismissal of this case pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). Plaintiff has not responded to this motion. Accordingly, in an order dated November 9, 2012, the Court directed Plaintiff and his counsel to take one of three specified actions within 14 days: (i) file and serve a brief in response to Defendant's motion that comported with certain standards set forth in the November 9 order; (ii) file and serve a written status report advising the Court of Plaintiff's specific plans to promptly cure the deficiencies in his existing legal representation, so that the Court could be assured that any viable claims in this case would be properly and vigorously pursued by competent counsel; or (iii) submit a

proposed stipulated order to voluntarily dismiss this suit. Plaintiff and his counsel were further cautioned that if they failed to meet this 14-day deadline, “the Court will grant Defendant’s motion as unopposed and dismiss Plaintiff’s complaint with prejudice.” (11/9/2012 Order at 7.)

This 14-day period has now passed, but so far as the record discloses, Plaintiff and his counsel have failed to take any action in response to the Court’s November 9, 2012 order. Consequently, in accordance with the statements of the Court in its November 9 order,

NOW, THEREFORE, IT IS HEREBY ORDERED that Defendant’s September 26, 2012 motion to dismiss (docket # 3) is GRANTED. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this case is DISMISSED WITH PREJUDICE.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: December 6, 2012

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 6, 2012, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager